

## APPENDIX

## STANDING COMMITTEE REPORTS

The Committee on Appropriations has filed favorable reports on House Bills Nos. 27, 38, 39, and 45.

## REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 1, Granting Maney and Alley permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 4, Granting O. B. Hamilton permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 11, Granting Sam Tobolowsky and James A. Gripeotis permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 9, Requesting the Post-office Department of the United States to issue series of postage stamps commemorative of the immortal deeds of American history,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 16, Granting Jack Williams permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 14, Granting N. W. Buchanan permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

## NINTH DAY

(Tuesday, February 13, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Adamson.	Clayton.
Aikin.	Colson.
Alexander.	Coombes.
Alsup.	Cowley.
Anderson.	Crossley.
Atchison.	Daniel.
Baker.	Davidson.
Barrett.	Dean.
Barron.	Devall.
Beck.	Dunlap.
Bergman.	Dunagan.
Bourne.	Duvall.
Bradley.	Dwyer.
Burns.	Engelhard.
Butler.	Fain.
Calvert.	Fisher.
Camp.	Ford.
Canon.	Fuchs.
Cathey.	Glass.
Caven.	Good.
Celaya.	Goodman.
Chastain.	Greathouse.

Griffith.	Moffett.
Hankamer.	Moore.
Harman.	Morrison.
Harris.	Morse.
Harrison.	Munson.
Hartzog.	Nicholson.
Head.	Parkhouse.
Hester.	Patterson.
Hicks.	Pavlica.
Hill.	Pope.
Hodges.	Puryear.
Holekamp.	Ramsey.
Holland.	Ray.
Holloway.	Reed of Bowie.
Hoskins.	Reed of Dallas.
Huddleston.	Renfro.
Hughes.	Riddle.
Hunt.	Roark.
Hunter.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rollins.
James.	Russell.
Jefferson.	Savage.
Johnson	Scarborough.
of Anderson.	Scott.
Jones of Atascosa.	Shannon.
Jones of Runnels.	Shults.
Jones of Shelby.	Smith.
Kayton.	Stanfield.
Kyle of Hays.	Steward.
Kyle of Palo Pinto.	Stinson.
Laird.	Stovall.
Lange.	Stubberman.
Latham.	Tarwater.
Lemens.	Tennyson.
Lindsey.	Thomas.
Long.	Tillery.
Lotief.	Turlington.
Mackay.	Van Zandt.
Magee.	Vaughan.
McCullough.	Walker.
McGregor.	Wells.
McKee.	Winningham.
Merritt.	Wood.
Metcalfe.	Young.
Mitcham.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Mathis for today, on motion of Mr. Parkhouse.

Mr. Leonard for today, on motion of Mr. Glass.

Mr. Wagstaff for today, on motion of Mr. Aikin.

Mr. Graves for today, on motion of Mr. Camp.

The following Members were granted leaves of absence on account of illness:

Mr. Rogers of Ochiltree for today, on motion of Mr. Reed of Bowie.

Mr. Bedford for today, on account of illness in his family, on motion of Mr. Tennyson.

Mr. Weinert for today and tomorrow, on motion of Mr. Parkhouse.

Mr. Golson for today, on motion of Mr. Smith.

Mr. Palmer for today, on account of illness in his family, on motion of Mr. Steward.

Mr. Ratliff for today, on motion of Mr. Dean.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Head:

H. B. No. 51, A bill to be entitled "An Act providing for the levy and collection of an occupation tax upon individuals, companies, corporations, and associations, pursuing the occupation of dealing in the business of wholesaling, or distributing beer; defining wholesale distributors and dealers; providing for the levy and collection of an occupation tax on individuals, companies, corporations, and associations, etc."

Referred to Committee on Revenue and Taxation.

By Mr. Harman:

H. B. No. 52, A bill to be entitled "An Act making a supplemental appropriation for the Ranger Service, the State Board of Control, the Examining Division of the Insurance Department, the Executive Department, the Texas State Department of Agriculture, the Live Stock Sanitary Commission, the Bureau of Labor Statistics, the State Auditor and Efficiency Expert, and the Attorney General's Department for the two-year period beginning September 1, 1933, and end-

ing August 31, 1935; and for other purposes; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Mitcham:

H. B. No. 53, A bill to be entitled "An Act levying an occupation tax on all public dance halls; providing it shall be unlawful to operate a public dance hall without a tax receipt being exhibited; providing a penalty for violation of the provisions of this Act; defining the term 'public dance hall,' and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Griffith, Mr. Mackay, and Mr. Latham:

H. B. No. 54, A bill to be entitled "An Act making an emergency appropriation for the State Commission for the Blind; authorizing the State Commission for the Blind to employ an additional stenographer; providing for the salary of said stenographer; providing how the remainder of said appropriation shall be used; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Johnson of Dimmit, Mr. Lange, Mr. Celaya, Mr. Dunlap, Mr. Jones of Atascosa, and Mr. Pope:

H. B. No. 55, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the counties composing the same, and providing for the election of a Member of the Congress of the United States from each district, transferring Duval County from the Fourteenth District to the Fifteenth District, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Congressional Districts.

#### BILL ORDERED NOT PRINTED

On motion of Mr. Dunlap, House Bill No. 47 was ordered not printed.

#### MOTION TO PRINT HOUSE BILL NO. 18

Mr. Lotief moved that House Bill No. 18, reported adversely with a minority favorable report, be printed. The motion was lost.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Alsup moved to take up, for consideration at this time, House Concurrent Resolution No. 22, providing for adjournment sine die, the resolution having been read second time on yesterday and laid on the table subject to call;

Due notice having been given that same would be called up today.

Question recurring on the motion by Mr. Alsup, yeas and nays were demanded.

The motion was lost by the following vote:

#### Yeas—52

Aikin.	McKee.
Alexander.	Merritt.
Alsup.	Metcalfe.
Beck.	Mitcham.
Bergman.	Moffett.
Bourne.	Nicholson.
Camp.	Pavlica.
Canon.	Puryear.
Cathey.	Ray.
Chastain.	Reed of Bowie.
Cowley.	Roark.
Dean.	Rollins.
Devall.	Savage.
Fain.	Scott.
Glass.	Shults.
Head.	Smith.
Hester.	Stanfield.
Hicks.	Steward.
Huddleston.	Stinson.
Hunt.	Tarwater.
Hunter.	Tillery.
Hyder.	Turlington.
Jones of Runnels.	Vaughan.
Kyle of Hays.	Walker.
Lange.	Wells.
Latham.	Winningham.

#### Nays—54

Adamson.	Hartzog.
Anderson.	Hill.
Atchison.	Hodges.
Baker.	Holland.
Barron.	Hoskins.
Bradley.	Hughes.
Clayton.	Jackson.
Coombes.	James.
Crossley.	Johnson
Daniel.	of Anderson.
Dunlap.	Jones of Atascosa.
Dunagan.	Kyle of Palo Pinto.
Dwyer.	Laird.
Engelhard.	Mackay.
Fisher.	Magee.
Good.	McCullough.
Goodman.	Moore.
Griffith.	Morrison.
Hankamer.	Morse.
Harris.	Munson.

Patterson.	Stovall.
Pope.	Stubbsman.
Reed of Dallas.	Tennyson.
Riddle.	Thomas.
Roberts.	Van Zandt.
Russell.	Wood.
Scarborough.	Young.
Shannon.	

## Absent

Barrett.	Holekamp.
Burns.	Holloway.
Butler.	Jefferson.
Calvert.	Jones of Shelby.
Caven.	Kayton.
Celaya.	Lemens.
Colson.	Lindsey.
Davidson.	Long.
Duvall.	Lotief.
Ford.	McGregor.
Fuchs.	Parkhouse.
Greathouse.	Ramsey.
Harman.	Renfro.
Harrison.	Rogers of Hunt.

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

## NOTICE GIVEN

Mr. Alsup gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Concurrent Resolution No. 22, providing for adjournment sine die, which resolution was heretofore laid on the table subject to call.

GRANTING PERMISSION TO SUE  
THE STATE HIGHWAY COM-  
MISSION

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 3, Authorizing Max Hirsh, his heirs and personal representatives, to sue the Highway Commission of the State of Texas and the State of Texas, under the trade name of Caledonia Steel Company, for an account for steel claimed to have been sold to the State of Texas.

Be it resolved by the Senate of the State of Texas, the Forty-third Legislature, Second Called Session, the House concurring, That Max Hirsh,

his heirs and personal representatives, are hereby authorized and permitted to sue the Highway Commission of the State of Texas, and the State of Texas, under the trade name of Caledonia Steel Company, to recover the sum of money claimed to be due the said company by virtue of certain steel claimed to have been sold the State of Texas on or about August 13, 1926, and on or about June 18, 1926, said claims on said dates totaling \$8,737.66. The State of Texas hereby waives its immunity from any and all suits based upon any liability of the State of Texas growing out of the matter of said two claims. Suit may be filed in any court in Travis County, Texas, having jurisdiction, and service of citation shall be had by serving the Chairman of the Highway Commission of the State of Texas within the time and in the manner provided by law, and the Attorney General of the State of Texas is hereby authorized and directed to answer in said cause for and in behalf of the said Highway Commission and the State of Texas. If and when the plaintiffs in said suit shall have recovered a final judgment in said cause the Highway Commission of the State of Texas is hereby authorized and directed to pay said final judgment which may have been secured, together with all the court costs out of the funds of the Highway Department, and it shall be the duty of said Highway Commission to pay such final judgment and costs if and when it is secured.

The resolution was read second time.

On motion of Mr. Anderson, the resolution was referred to the Committee on State Affairs.

GRANTING PERMISSION TO SUE  
THE STATE OF TEXAS

Mr. Hill offered the following resolution:

H. C. R. No. 24, To grant A. J. Harbers permission to sue the State.

Whereas, On or about the 16th day of November, 1931, the State of Texas, acting by and through the State Highway Commission of said State, made and entered into a contract with A. J. Harbers for the improvement and construction of a portion of State Highway No. 36, in Brazoria County, Texas, designated

as State Project 889-E, and on the same day and date made and entered into a second contract for the improvement and construction of a second portion of said State Highway No. 36, in Brazoria County, Texas, designated as State Project 125 Reop., with the time for completion of both projects to run concurrently; and

Whereas, A dispute and controversy has arisen between the contractor, A. J. Harbers, and the State of Texas, the State Highway Commission, the agents, servants and employes thereof, as to the classification of a large amount of dirt necessarily moved by A. J. Harbers under his contracts and the plans and specifications, and, ultimately, the amount of compensation to be paid therefor, and, a dispute has arisen between A. J. Harbers and the State of Texas, the State Highway Commission and the agents, servants and employes thereof, as to the compensation and payment for the construction of a certain portion of said road made by A. J. Harbers, and a further controversy and dispute has arisen between A. J. Harbers and the State of Texas over the amount of liquidated damages charged for failure to complete the contracts within the time stated in the contracts, making it necessary that said matters be submitted to a court of competent jurisdiction for decision, as well as the question of the amount of damages, if any, due to A. J. Harbers for certain negligence and incompetence on the part of certain agents, servants and employes of the State of Texas and the State Highway Commission of Texas; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the said A. J. Harbers, his heirs or assigns, be and hereby he is and or they are authorized to sue the State of Texas and the State Highway Commission of Texas, in a court of competent jurisdiction in Travis County, Texas, by serving citation and other necessary process upon the Attorney General of Texas and the Chairman of the State Highway Commission, for such amount as may be due to A. J. Harbers, his heirs or assigns, growing out of and by virtue of the contracts for the construction of State Project 889-E and State Project 125 Reop., either in compensation or damages. And be it further

Resolved, That any party to said

suit shall have the right to appeal said cause and any judgment established against the State of Texas, and or the State Highway Commission of Texas shall be a liquidated debt which shall be paid by the State Highway Commission of Texas, from the Highway Building Funds of the State of Texas.

The resolution was read second time.

On motion of Mr. Anderson, the resolution was referred to the Committee on State Affairs.

#### GRANTING NOEL P. SMITH PERMISSION TO SUE THE STATE

Mr. Merritt offered the following resolution:

H. C. R. No. 25, Granting Noel P. Smith permission to sue the State.

Whereas, Noel P. Smith, a resident of Scurry County, Texas, was working for the Highway Commission of Texas, on October 29, 1932, on Highway No. 54, near Van Horn, in the State of Texas; and

Whereas, While the said Noel P. Smith was engaged as above set forth, he was injured, due to the carelessness and negligence of the State Highway Commission and or its agents, servants or employes; and

Whereas, Said Noel P. Smith suffered two fractured ribs on the left side, and his left kidney was torn from its bed, causing said Noel P. Smith much pain and suffering, and rendering him physically incapable for further work to this date, and has permanently disabled him; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Noel P. Smith, his heirs, executors, and administrators, be, and they are hereby, authorized to bring suit against the Highway Commission of Texas, and or the State of Texas, for any and all amounts the said Noel P. Smith is or may be entitled to because of the injuries above mentioned, and in case suit is filed against the State of Texas, and or Highway Commission of Texas, that service of citation or other necessary process be had upon the Governor of the State of Texas, the Chairman of the Highway Commission of Texas, or the Attorney General of Texas, and that same have the same force and effect as made and provided for in civil suits, and provided that either one of said parties

to said suit shall have the right to appeal without the execution of bonds, and any judgment that may be finally established against the State of Texas and/or Highway Commission of Texas, or either of them in said suit, shall be a liquidated debt, and shall be paid by the Highway Commission of Texas, out of the State Highway Funds. Such suit may be filed in any court of competent jurisdiction in Scurry County, Texas.

The resolution was read second time.

On motion of Mr. Anderson, the resolution was referred to the Committee on State Affairs.

#### GRANTING W. D. MALONE PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 18, Granting W. D. Malone permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution, with the following committee amendment:

Amend the resolving clause of House Concurrent Resolution No. 18 by changing the court of venue from "El Paso County, Texas," to "Travis County, Texas."

The amendment was adopted.

The resolution as amended was adopted.

#### GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 21, Granting J. O. Currie and J. C. Locklar permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution, with the following committee amendment:

Amend the resolving clause of House Concurrent Resolution No. 21 by changing its court of venue from "Midland County, Texas," to "Travis County, Texas."

The amendment was adopted.

The resolution as amended was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 7, A bill to be entitled "An Act to authorize and empower any water control and improvement district in this State to borrow money, and to receive grants or other aid from the Government of the United States or any lending agency thereof; and declaring an emergency."

S. C. R. No. 14, Granting D. F. Jones Construction Company permission to sue the State.

S. C. R. No. 15, Granting Ben Sira & Company permission to sue the State.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 7, to the Committee on State Affairs.

#### ENDORSING PEACE OFFICERS OF TEXAS

Mr. Thomas offered the following resolution:

H. C. R. No. 23, Endorsing peace officers and State Rangers of Texas.

Whereas, It is generally recognized that crime has increased in our own State, and in many other States of the Union to the extent that same has become a menace to organized society, peaceable citizenship, security of property, and the orderly processes of government; and

Whereas, In at least many outstanding instances criminals have organized into gangs, and have, by their activities, paralyzed law enforcement, especially in some of our larger cities; and

Whereas, The activities of these

gangsters have become widespread on account of easy and quick modes of transportation, to the extent that they now constitute a distinct menace and hazard to many small communities far removed from their base, thereby endangering the lives of citizens and the security of property in a degree never before known; and

Whereas, The Appropriations Committee of the House of Representatives has recommended a small appropriation as a reward for the capture of Clyde Barrow, Joe Palmer, and Raymond Hamilton, escaped convicts; and

Whereas, These men constitute a specific example of the foregoing paragraphs of this resolution; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we most heartily endorse the policy of offering a reward for notorious, well known, and outstanding criminals, and in our judgment every effort of the local, State and National Governments, and the people at large should be exerted in the direction of apprehending and confining these individuals, and we furthermore expressly endorse and approve the manner in which State Rangers and peace officers of this State are trying to suppress crime; and be it further

Resolved, That the press be tendered a copy of this resolution, with the urgent request that same be given the widest possible publicity.

THOMAS,  
MOFFETT,  
ALEXANDER,  
SMITH,  
SHANNON,  
ENGELHARD,  
DEAN.

The resolution was read second time, and was adopted.

#### HOUSE BILL NO. 38 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 38, A bill to be entitled "An Act appropriating the sum of \$1,200 for each of the two years, beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred cases under the provisions of Chapter

151 of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 38 ON THIRD READING

Mr. Clayton moved that the constitutional rule requiring bills to be read on three several days, be suspended, and that House Bill No. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—94

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kayton.
Anderson.	Kyle of Palo Pinto.
Atchison.	Laird.
Barron.	Lemens.
Beck.	Lindsey.
Bergman.	Long.
Bourne.	Mackay.
Bradley.	McCullough.
Burns.	McKee.
Camp.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Clayton.	Nicholson.
Cowley.	Parkhouse.
Crossley.	Pavlica.
Daniel.	Puryear.
Dean.	Ramsey.
Devall.	Reed of Dallas.
Dunlap.	Renfro.
Dunagan.	Riddle.
Fain.	Roark.
Ford.	Roberts.
Glass.	Rollins.
Goodman.	Russell.
Griffith.	Savage.
Hankamer.	Scarborough.
Harman.	Shannon.
Harris.	Shults.
Hartzog.	Smith.
Hester.	Stanfield.
Hicks.	Stinson.
Hill.	Stovall.
Hodges.	Tennyson.
Holland.	Thomas.
Hoskins.	Tillery.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hunter.	Walker.
Hyder.	Wells.
Jackson.	Winningham.
James.	Wood.
Johnson	Young.
of Anderson.	

## Nays—10

Baker.	Lotief.
Barrett.	Mitcham.
Coombes.	Reed of Bowie.
Fisher.	Scott.
Good.	Vaughan.

## Absent

Butler.	Jefferson.
Calvert.	Kyle of Hays.
Caven.	Lange.
Colson.	Latham.
Davidson.	Magee.
Duvall.	McGregor.
Dwyer.	Merritt.
Engelhard.	Metcalfe.
Fuchs.	Patterson.
Greathouse.	Pope.
Harrison.	Ray.
Head.	Rogers of Hunt.
Holekamp.	Steward.
Holloway.	Stubbeman.
Huddleston.	Tarwater.

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

The Speaker then laid House Bill No. 38 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—84

Adamson.	Devall.
Aikin.	Dunlap.
Alexander.	Ford.
Alsup.	Glass.
Anderson.	Goodman.
Atchison.	Hankamer.
Baker.	Harman.
Beck.	Harris.
Bergman.	Hartzog.
Bourne.	Hill.
Bradley.	Hodges.
Burns.	Holland.
Canon.	Hoskins.
Cathey.	Hughes.
Celaya.	Hyder.
Chastain.	Jackson.
Clayton.	Johnson
Colson.	of Anderson.
Cowley.	Jones of Atascosa.
Crossley.	Jones of Runnels.
Daniel.	Jones of Shelby.
Davidson.	Kayton.
Dean.	Kyle of Hays.

Laird.	Rollins.
Lemens.	Russell.
Mackay.	Savage.
Magee.	Scarborough.
McCullough.	Shannon.
McKee.	Shults.
Metcalfe.	Smith.
Moffett.	Stinson.
Moore.	Stovall.
Morrison.	Tarwater.
Morse.	Tennyson.
Munson.	Thomas.
Nicholson.	Tillery.
Patterson.	Turlington.
Pavlica.	Van Zandt.
Ramsey.	Walker.
Reed of Dallas.	Wells.
Renfro.	Wood.
Riddle.	Young.
Roberts.	

## Nays—16

Coombes.	Lotief.
Dunagan.	Mitcham.
Fain.	Puryear.
Fisher.	Reed of Bowie.
Good.	Roark.
Hester.	Scott.
Hunter.	Vaughan.
Kyle of Palo Pinto.	Winningham.

## Present—Not Voting

Merritt.

## Absent

Barrett.	Huddleston.
Barron.	Hunt.
Butler.	James.
Calvert.	Jefferson.
Camp.	Lange.
Caven.	Latham.
Duvall.	Lindsey.
Dwyer.	Long.
Engelhard.	McGregor.
Fuchs.	Parkhouse.
Greathouse.	Pope.
Griffith.	Ray.
Harrison.	Rogers of Hunt.
Head.	Stanfield.
Hicks.	Steward.
Holekamp.	Stubbeman.
Holloway.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

## SENATE BILL NO. 7 ON SECOND READING

Mr. Dunlap moved that the constitutional rule, requiring bills to be read



on three several days, be suspended, and that Senate Bill No. 7 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—100

Adamson.	Jones of Atascosa.
Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson.	Kyle of Palo Pinto.
Atchison.	Laird.
Baker.	Lemens.
Barrett.	Long.
Beck.	Mackay.
Bergman.	Magee.
Bourne.	McCullough.
Bradley.	McKee.
Burns.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Celaya.	Morrison.
Clayton.	Morse.
Colson.	Munson.
Cowley.	Nicholson.
Daniel.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Devall.	Puryear.
Dunlap.	Ray.
Dunagan.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Riddle.
Glass.	Roark.
Good.	Roberts.
Goodman.	Rollins.
Greathouse.	Russell.
Griffith.	Savage.
Hankamer.	Scarborough.
Harman.	Shannon.
Harris.	Shults.
Head.	Smith.
Hester.	Stinson.
Hill.	Tarwater.
Hodges.	Tennyson.
Holland.	Thomas.
Hoskins.	Turlington.
Huddleston.	Van Zandt.
Hughes.	Vaughan.
Hunt.	Walker.
Hunter.	Wells.
Hyder.	Winningham.
James.	Wood.
Johnson	Young.
of Anderson.	

## Nays—6

Chastain.	Lotief.
Coombes.	Scott.
Crossley.	Stovall.

## Absent

Barron.	Jefferson.
Butler.	Jones of Runnels.
Calvert.	Lange.
Caven.	Latham.
Duvall.	Lindsey.
Engelhard.	McGregor.
Ford.	Merritt.
Fuchs.	Pope.
Harrison.	Ramsey.
Hartzog.	Rogers of Hunt.
Hicks.	Stanfield.
Holekamp.	Steward.
Holloway.	Stubbeman.
Jackson.	Tillery.

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

On motion of Mr. Dunlap, by unanimous consent of the House, the Twenty-four-hour House Rule, relative to the consideration of printed bills, was suspended for the purpose of considering at this time, Senate Bill No. 7.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 7, A bill to be entitled "An Act to authorize and empower any water control and improvement district in this State to borrow money, and to receive grants or other aid from the Government of the United States or any lending agency thereof; and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 7 ON THIRD READING

The Speaker then laid Senate Bill No. 7 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—100

Adamson.	Bergman.
Aikin.	Bourne.
Alexander.	Bradley.
Alsup.	Burns.
Atchison.	Camp.
Baker.	Canon.
Barrett.	Cathey.
Barron.	Caven.
Beck.	Celaya.

Clayton.	Magee.
Colson.	McCullough.
Cowley.	McGregor.
Crossley.	McKee.
Daniel.	Merritt.
Davidson.	Metcalfe.
Dean.	Moffett.
Devall.	Morrison.
Dunlap.	Morse.
Dunagan.	Munson.
Engelhard.	Nicholson.
Fain.	Patterson.
Fisher.	Pavlica.
Glass.	Pope.
Good.	Puryear.
Goodman.	Ray.
Griffith.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Head.	Roark.
Hester.	Roberts.
Hill.	Rollins.
Hodges.	Russell.
Holland.	Savage.
Hoskins.	Scarborough.
Huddleston.	Shannon.
Hughes.	Shults.
Hunter.	Smith.
Hyder.	Stinson.
Jackson.	Stovall.
James.	Tarwater.
Johnson	Tennyson.
of Anderson.	Thomas.
Jones of Atascosa.	Turlington.
Jones of Shelby.	Van Zandt.
Kayton.	Vaughan.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Wells.
Laird.	Wood.
Lemens.	Young.
Mackay.	

## Nays—5

Chastain.	Lindsey.
Coombes.	Lotief.
Jones of Runnels.	

## Present—Not Voting

Hunt.	Scott.
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## Absent

Anderson.	Lange.
Butler.	Latham.
Calvert.	Long.
Duvall.	Mitcham.
Dwyer.	Moore.
Ford.	Parkhouse.
Fuchs.	Ramsey.
Greathouse.	Rogers of Hunt.
Harrison.	Stanfield.
Hartzog.	Steward.
Hicks.	Stubbeman.
Holekamp.	Tillery.
Holloway.	Winningham.
Jefferson.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

## RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

H. C. R. No. 5, Granting W. F. Sewell and wife and J. C. Lewis of Navarro County permission to sue the State of Texas.

H. C. R. No. 6, Granting E. A. Eliot and wife permission to sue the State of Texas.

H. C. R. No. 17, Concerning certain appropriation for Texas National Guard.

## HOUSE BILL NO. 39 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 39, A bill to be entitled "An Act making an emergency appropriation of money for the Sam Houston State Teachers College at Huntsville, Texas, and the Penitentiary System, located at Huntsville, Texas; providing the purposes thereof, the means and manner of expenditure, and declaring an emergency."

The bill was read second time.

Mr. Good offered the following amendment to the bill:

Amend House Bill No. 39 by striking out that part of lines 17, 18, and 19, which refers to \$2,800 for Sam Houston Teachers College, and amend the caption accordingly.

Mr. Burns moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

House Bill No. 39 was then passed to engrossment.

# MOTION TO TAKE UP HOUSE BILL NO. 39

Mr. Burns moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 39 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

## Yeas—77

Alexander.	Lemens.
Alsup.	Lindsey.
Atchison.	Long.
Beck.	Lotief.
Bergman.	Mackay.
Bourne.	Magee.
Bradley.	McCullough.
Burns.	McKee.
Cathey.	Merritt.
Caven.	Metcalfe.
Celaya.	Mitcham.
Clayton.	Moffett.
Cowley.	Moore.
Daniel.	Morrison.
Dean.	Morse.
Dunagan.	Munson.
Engelhard.	Patterson.
Fuchs.	Pope.
Good.	Ramsey.
Goodman.	Ray.
Greathouse.	Renfro.
Griffith.	Riddle.
Hankamer.	Roark.
Harman.	Roberts.
Head.	Scarborough.
Hester.	Shannon.
Hill.	Smith.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stovall.
Hoskins.	Tarwater.
Hughes.	Tennyson.
James.	Thomas.
Jefferson.	Tillery.
Jones of Shelby.	Van Zandt.
Kayton.	Walker.
Kyle of Hays.	Winningham.
Kyle of Palo Pinto.	Wood.
Laird.	

## Nays—33

Adamson.	Fisher.
Aikin.	Glass.
Baker.	Harris.
Barrett.	Huddleston.
Barron.	Hunt.
Canon.	Hunter.
Chastain.	Jones of Runnels.
Coombes.	Nicholson.
Crossley.	Parkhouse.
Devail.	Pavlica.
Fain.	Puryear.

Reed of Bowie.	Shults.
Reed of Dallas.	Stinson.
Rollins.	Turlington.
Russell.	Vaughan.
Savage.	Young.
Scott.	

## Absent

Anderson.	Holloway.
Butler.	Hyder.
Calvert.	Jackson.
Camp.	Johnson
Colson.	of Anderson.
Davidson.	Jones of Atascosa.
Dunlap.	Lange.
Duvall.	Latham.
Dwyer.	McGregor.
Ford.	Rogers of Hunt.
Harrison.	Stubbeman.
Hartzog.	Wells.
Hicks.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

# RELATIVE TO THE LEVYING OF CERTAIN TAX ON NATURAL GAS

Mr. Chastain offered the following resolution:

H. C. R. No. 26, Relative to the levying of certain tax on natural gas.

Whereas, It is reported that the National Coal Association will meet with General Johnson today to seek his support for a bill which proposes to levy a Federal tax of five cents per thousand cubic feet on natural gas; and

Whereas, Such a tax would increase the fuel bill of the State of Texas more than twelve million dollars (\$12,000,000) per year; and

Whereas, If such a tax should be added to the price of industrial gas in this State, it would lose to the pipe lines and distributing companies practically all of their industrial business, and an additional raise in the price of domestic gas would be asked for to make up for the loss in industrial revenue; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Legislature of the State of Texas go on record as being unalterably opposed to the levy of such

a tax upon natural gas; be it further

Resolved, That a copy of this resolution be sent to each member of the Texas delegation in Congress with a request that they oppose any bill carrying any tax on natural gas discriminating in favor of any other fuel.

The resolution was read second time.

Mr. Winningham moved to table the resolution.

Mr. Winningham raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Chastain moved that the House Rule relative to the time allotted for the consideration of resolutions be suspended, for the purpose of further considering the resolution.

The motion prevailed.

Question recurring on the motion by Mr. Winningham, that the resolution be tabled, it was lost.

Question recurring on the resolution, it was adopted.

#### MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in Second Called Session:

I submit, for your consideration, a bill hereto attached, to be entitled "An Act amending Article 287, of the Penal Code of the State of Texas, of 1925, as amended by Chapter 139 of the General Laws of the Regular Session of the Thirty-ninth Legislature, as amended by Chapter 116 of the General Laws of the Regular Session of the Forty-second Legislature, by adding thereto, after the words 'ice dealers,' the words 'fruit dealers, vegetable dealers,' and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in Second Called Session:

By request of Senator Purl, I submit for your consideration, a bill hereto attached, to be entitled "An Act to amend Article 2529, of the Revised Civil Statutes of 1925; as amended by the Acts of 1933, Forty-third Legislature, page 840, Chapter 240; as amended by Acts of 1933, Forty-third Legislature, page 854, Chapter 244; and as amended by Acts of 1933, Forty-third Legislature, First Called Session, page 215, Chapter 80, Section 1, providing qualifications for State depositories; and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in Second Called Session:

By request, I submit for your consideration, a bill hereto attached, to be entitled "An Act prohibiting persons allowing certain animals and live stock grazing, running upon, and trespassing upon certain designated highways in this State; and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in Second Called Session:

I submit, for your consideration, at the request of Representative Alsup, a bill hereto attached, to be entitled "An Act repealing House Bill No. 854, as passed by the Regular Session of the Forty-third Legislature in Regular Session, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in Second Called Session:

I herewith submit, for your consideration, a bill hereto attached, to

be entitled "An Act making appropriation for additional employes in the Bureau of Labor Statistics, beginning March 1, 1934, and ending August 31, 1935, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request, I herewith submit for your consideration, a bill hereto attached, to be entitled "An Act authorizing the Board of Regents of the University of Texas and the branches thereof, and the Board of Directors of the Agricultural and Mechanical College and its branches, and other State institutions therein mentioned to construct, acquire, operate, maintain through and only through funds or loans to be obtained from the Government of the United States or agencies thereof, created under the National Recovery Act, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request, I submit for your consideration, a bill hereto attached, to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the counties composing the same, and providing for the election of a Member of the Congress of the United States from each district, transferring Duval County from the Fourteenth District to the Fifteenth District, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request of Senator Reagan, I submit, for your consideration, a bill hereto attached, to be entitled "An Act to amend Article 3264, Revised Civil Statutes of 1925, by authorizing irrigation districts, water im-

provement districts and water power control districts to condemn land under the general condemnation statutes, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act authorizing any county or district, organized, or which may be hereafter organized in accordance with the laws of the State of Texas to purchase for the use or benefit of the people within and adjacent to any such county or district, or the use and benefit of a portion of the area of the county or district served thereby, works, buildings, equipment, together with all the rights, land and easements, appurtenant thereto and necessary therefor, for rendering irrigation, flood prevention, water supply, drainage and/or sewerage service, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request of various Senators, I submit, for your consideration, a bill hereto attached, to be entitled "An Act making an emergency appropriation out of the General Revenue of the State for the purpose of enforcing the provisions of House Bill No. 76, Chapter 52, First Called Session, Forty-first Legislature, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request of Representative Walker, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act authorizing independent school districts to build or purchase buildings or grounds for

the purpose of constructing gymnasias, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes or other evidences of indebtedness, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request of Representative Great-house and others, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act providing that cities with a population of more than 160,000 inhabitants, according to the last preceding Federal Census, may mortgage and encumber their airports and the income thereof, or either of them, for the purpose of acquiring or improving the same, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request of Representative Reed of Dallas, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act validating all elections, election orders, election proceedings, and city ordinances, annexing adjacent territory in incorporated cities having not less than 3,000 and not more than 6,000 inhabitants, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act granting to the Houston Yacht Club, its successors and assigns, all right, title, and interest of the State of Texas to certain land under the waters of Gal-

veston Bay, and declaring an emergency."

It appears from letters hereto attached that said legislation is necessary to secure a loan of \$120,000 from the Federal Government.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request of Senator Regan, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act to amend Articles 1111, 1112, 1113, and 1114, of the Revised Civil Statutes of Texas, for 1925, and amendments thereof, as passed by the Fortieth Legislature, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Executive Office,  
Austin, Texas, February 13, 1934.

To the Forty-third Legislature in  
Second Called Session:

By request, I submit, for your consideration, a bill hereto attached, to be entitled "An Act validating refunding bonds issued by certain water improvement districts, under authority of the Acts of 1933, Forty-third Legislature, page 171, Chapter 78, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

#### INVITATION FROM TEXAS PRESS ASSOCIATION

Mr. Wells offered the following resolution:

Whereas, The Texas Press Association is sponsoring a special train to the North and East about April the first; and

Whereas, Lowry Martin, Corsicana, Texas, is in Austin this morning, and wishes to extend to Members of the House an invitation to co-operate in this move; therefore, be it

Resolved, That Mr. Martin be granted the privileges of the floor for a few minutes, to extend this invitation in person.

The resolution was read second time, and was adopted.

In accordance with the above action,

Speaker Stevenson presented Hon. Joe K. Wells, of Navarro County, who introduced Mr. Hicks, president of the Texas Press Association.

Mr. Hicks addressed the House briefly.

Mr. Wells presented Mr. Lowry Martin, of Navarro County, who addressed the House, and extended an invitation to the Members of the House to accompany the members of the Texas Press Association on the Good Will Tour of the East.

(Mr. McCullough in the Chair.)

#### HOUSE BILL NO. 27 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 27, A bill to be entitled "An Act making an appropriation to pay deficiencies for interest on bonds of the State of Texas, held by Permanent School Fund, Permanent Lunatic Asylum Fund, Permanent Blind Institute Fund, Permanent Deaf and Dumb Institute Fund, and Permanent Orphans Home Fund of the State of Texas, authorizing payment of interest on the taking effect of this Act."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 27 ON THIRD READING

Mrs. Hughes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 27 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adamson.	Caven.
Aikin.	Celaya.
Alexander.	Chastain.
Alsup.	Clayton.
Anderson.	Crossley.
Atchison.	Daniel.
Baker.	Davidson.
Barrett.	Dean.
Beck.	Devall.
Bergman.	Dunlap.
Bourne.	Dunagan.
Bradley.	Engelhard.
Burns.	Fain.
Calvert.	Fisher.
Camp.	Ford.
Canon.	Fuchs.
Cathey.	Glass.

Good.	Mitcham.
Goodman.	Moffett.
Griffith.	Moore.
Hankamer.	Morrison.
Harman.	Morse.
Harris.	Munson.
Harrison.	Parkhouse.
Hartzog.	Patterson.
Head.	Pavlica.
Hester.	Puryear.
Hicks.	Reed of Bowie.
Hill.	Reed of Dallas.
Hodges.	Renfro.
Holekamp.	Riddle.
Holland.	Roark.
Hoskins.	Roberts.
Huddleston.	Rollins.
Hughes.	Russell.
Hunt.	Savage.
Hunter.	Scarborough.
Hyder.	Scott.
James.	Shannon.
Jefferson.	Shults.
Johnson	Smith.
of Anderson.	Stanfield.
Jones of Atascosa.	Stinson.
Jones of Runnels.	Stovall.
Jones of Shelby.	Stubbeman.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Tennyson.
Laird.	Thomas.
Latham.	Tillery.
Lemens.	Turlington.
Lindsey.	Van Zandt.
Mackay.	Walker.
Magee.	Wells.
McCullough.	Winningham.
McGregor.	Wood.
Merritt.	Young.
Metcalfe.	

#### Nays—4

Coombes.	Pope.
Lotief.	Vaughan.

#### Absent

Barron.	Kayton.
Butler.	Lange.
Colson.	Long.
Cowley.	McKee.
Duvall.	Nicholson.
Dwyer.	Ramsey.
Greathouse.	Ray.
Holloway.	Rogers of Hunt.
Jackson.	Steward.

#### Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

The Speaker then laid House Bill No. 27 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—105

Adamson.	James.
Aikin.	Jefferson.
Alexander.	Johnson
Anderson.	of Anderson.
Atchison.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Barron.	Kyle of Hays.
Beck.	Kyle of Palo Pinto.
Bergman.	Laird.
Bourne.	Latham.
Bradley.	Lemens.
Burns.	Mackay.
Calvert.	Magee.
Camp.	McCullough.
Canon.	McGregor.
Cathey.	McKee.
Caven.	Merritt.
Celaya.	Metcalf.
Chastain.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Cowley.	Morrison.
Crossley.	Morse.
Daniel.	Munson.
Davidson.	Parkhouse.
Dean.	Patterson.
Devall.	Pavlica.
Dunlap.	Puryear.
Dunagan.	Ray.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Riddle.
Ford.	Roark.
Glass.	Roberts.
Good.	Rollins.
Goodman.	Russell.
Griffith.	Savage.
Hankamer.	Shannon.
Harman.	Shults.
Harris.	Smith.
Harrison.	Stanfield.
Head.	Stinson.
Hester.	Stovall.
Hicks.	Stubbeman.
Hill.	Tarwater.
Hodges.	Tennyson.
Holland.	Thomas.
Hoskins.	Turlington.
Hughes.	Van Zandt.
Hunt.	Wells.
Hunter.	Wood.
Hyder.	Young.

## Nays—12

Alsup.	Lindsey.
Coombes.	Lotief.
Holekamp.	Pope.
Huddleston.	Reed of Bowie.

Scott.  
Vaughan.

Walker.  
Winningham.

## Absent

Butler.	Lange.
Duvall.	Long.
Dwyer.	Nicholson.
Fuchs.	Ramsey.
Greathouse.	Rogers of Hunt.
Hartzog.	Scarborough.
Holloway.	Steward.
Jackson.	Tillery.
Kayton.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

## HOUSE BILL NO. 23 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 23, A bill to be entitled "An Act levying a ten per cent (10%) tax upon each individual, firm, club, co-partnership, corporation, company, or association, which conducts any racing meet under the provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature, where an admission fee is charged or received; providing for the collection of said tax by the Comptroller of Public Accounts, and appropriating said tax to the Texas Relief Bond Sinking Fund, and declaring an emergency."

The bill was read second time.

Question—Shall the bill pass to engrossment?

(Speaker in the Chair.)

## RECESS

On motion of Mr. Anderson, the House, at 11:55 o'clock a. m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the



House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Alsop:

H. B. No. 56, A bill to be entitled "An Act repealing House Bill No. 854, as passed by the Regular Session of the Forty-third Legislature, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Camp, Mr. Roberts, Mr. Hoskins, Mr. Young, and Mr. McGregor:

H. B. No. 57, A bill to be entitled "An Act prohibiting persons allowing certain animals and live stock grazing, running upon, and trespassing upon certain designated highways in this State, except where such highway runs through an enclosed farm, ranch, or other property, which highway is unfenced but is protected by cattle guards and signs to warn motorists against cattle; defining terms, prescribing offenses, fixing penalties and punishment, containing a saving clause, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Walker, Mr. Moffett, Mr. Pope, Mr. Vaughan, and Mr. Tennyson:

H. B. No. 58, A bill to be entitled "An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; etc."

Referred to Committee on Education.

By Mr. Greathouse, Mr. Duvall, Mr. Patterson, Mr. Renfro, and Mr. Shannon:

H. B. No. 59, A bill to be entitled "An Act providing that cities with a population of more than one hundred and sixty thousand (160,000) inhabitants, according to the last pre-

ceding Federal Census, may mortgage and encumber their air ports and the income thereof, or either of them for the purpose of acquiring or improving the same; providing for manner of issuance of notes or warrants for such purposes, and providing that this law shall take precedence over conflicting charter provisions; repealing all laws in conflict herewith; providing a saving clause, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Reed of Dallas:

H. B. No. 60, A bill to be entitled "An Act validating all elections, election orders, election proceedings, and city ordinances annexing adjacent territory to, or extending and prescribing the corporate limits of, any incorporated city having a population of not less than 3,000, and not more than 6,000 inhabitants, as shown by the Federal Census of 1930, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Moore and Mr. Morse:

H. B. No. 61, A bill to be entitled "An Act granting to the Houston Yacht Club, its successors and assigns, all right, title, and interest of the State of Texas to certain land under the waters of Galveston Bay, described as follows: \* \* \*, etc., \* \* \* for harbor purposes, and for the purpose of constructing, maintaining, using, and operating wharves, docks, slips, piers, breakwaters, and other improvements and harbor facilities, for a term of fifty years, and so long thereafter as the same may be used and maintained as a harbor."

Referred to Committee on Public Lands and Buildings.

By Mr. Hankamer, Mr. Jackson, and Mr. Clayton:

H. B. No. 62, A bill to be entitled "An Act validating refunding bonds issued by certain water improvement districts, under authority of Acts, 1933, Forty-third Legislature, page 171, Chapter 78; authorizing a levy to be made for prior years where part or all the bonded indebtedness of such water improvement districts has been refunded; etc."

Referred to Committee on Conservation and Reclamation.

By Mr. Dwyer, Mr. Celaya, Mr. Morse, Mr. Ray, Mr. Roberts, Mr. Beck, Mr. Reader, Mr. Jones of Shelby, Mr. Daniel, Mr. Burns, Mr. Winningham, Mr. Steward, Mr. Tillery, Mr. Weinert, Mr. Hill, Mr. Pope, Mr. Patterson, Mr. Rogers of Hunt, Mr. Hankamer, Mr. Chastain, Mr. McCullough, Mr. Dunagan, Mr. Latham, Mr. Russell, Mr. Holloway, Mr. Van Zandt, Mr. Thomas, Mr. Rollins, Mr. Merritt, Mr. Jackson, Mr. Holland, Mr. Colson, Mr. Lemens, Mr. Caven, Mr. Hicks, Mrs. Hughes, Mr. Mathis, Mr. Parkhouse, Mr. Duvall, Mr. Johnson of Anderson, Mr. Hartzog, Mr. Alexander, Mr. Stinson, Mr. Butler, Mr. Crossley, Mr. Ramsey, Mr. Munson, Mr. Greathouse, Mr. Dunlap, Mr. Palmer, Mr. Davidson, Mr. Scarborough, Mr. Ford, Mr. Roark, Mr. Cowley, Mr. Glass, Mr. Mitcham, Mr. Bourne (by request), Mr. Lange, Mr. Clayton, Mr. Leonard, Mr. Walker, Mr. Ratliff, Mr. Long, Mr. Anderson, Mr. Tennyson, Mr. Camp, Mr. Savage, Mr. Canon, Mr. Moffett, Mr. Fisher, Mr. James, Mr. Hoskins, Mr. McKee, Mr. Baker, Mr. Atchison, Mr. Fuchs, Mr. Barrett, Mr. Devall, Mr. Barron, Mr. McGregor, Mr. Moore, Mr. Coombes, Mr. Patterson, Mr. Renfro, Mr. Townsend, Mr. Jones of Atascosa, Mr. Engelhard, Mr. Rogers of Ochiltree, and Mr. Tarwater:

H. B. No. 63, A bill to be entitled "An Act amending Article 287, of the Penal Code of the State of Texas of 1925, as amended by Chapter 139, of the General Laws of the Regular Session of the Thirty-ninth Legislature, as amended by Chapter 116, of the General Laws of the Regular Session of the Forty-second Legislature, by adding thereto, after the words 'ice dealers,' the words 'fruit dealers, vegetable dealers,' and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Moore, Mr. Morse, Mr. Holland, and Mr. Bradley:

H. B. No. 64, A bill to be entitled "An Act providing that in all counties having a population in excess of 350,000 inhabitants, according to the last available Federal Census, the county school superintendent shall be appointed by the board of county school trustees, and shall hold office for four years, and declaring an emergency."

Referred to Committee on Education.

By Mr. Daniel:

H. B. No. 65, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Houston County during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Rogers of Ochiltree, Mr. Tarwater, and Mr. Stanfield:

H. B. No. 66, A bill to be entitled "An Act making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill any wild deer, buck, doe, fawn, or wild turkey in the Counties of Hemphill, Roberts, Hutchinson, Potter, Randall, Armstrong, and Briscoe, and prescribing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Dunagan:

H. B. No. 67, A bill to be entitled "An Act requiring every person, firm, corporation, or association of persons in this State who sells cigarettes by means of a vending machine of any kind or character to secure a permit from the Comptroller of Public Accounts, as is required of other dealers under the provisions of Chapter 90; etc."

Referred to Committee on Revenue and Taxation.

By Mr. Duvall:

H. B. No. 68, A bill to be entitled "An Act amending Article 7047, of the Revised Civil Statutes, 1925, by repealing House Bill No. 102, as passed by the Forty-first Legislature, Second Called Session, 1929, and approved by the Governor of Texas, June 24, 1929; and repealing Senate Bill No. 127, 'regulating and providing for supervision of emigrant agents,' passed by the Forty-first Legislature, Second Called Session, 1929, and effective without the Governor's signature, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

# HOUSE BILL NO. 9 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 9, A bill to be entitled "An Act relating to the granting of relief in certain cases during the emergency declared to exist, from inequitable sales under deeds of trust and inequitable foreclosures of vendors's lien and execution sales of real estate, and providing for the postponement of certain sales, and providing for the temporary creation of a period of redemption of real estate following the forced sale thereof, and providing for the jurisdiction and procedure of such relief and for the right to possession during such redemption period, and limiting the right to maintain actions for deficiency judgments, and providing further for amending House Bill No. 231, Chapter 102, page 225, General Laws, passed at the Regular Session of the Forty-third Legislature, State of Texas; and providing means and methods whereby suits and causes of actions involving judgments for the recovery of real property or the foreclosure of liens against real property, and which are pending on the effective date hereof or which may be filed prior to January 1, 1936, or as otherwise provided herein, may be postponed or continued, and orders of sales and executions may be stayed by complying with the conditions as provided in this Act; authorizing temporary injunctions to stay sales under execution, orders of sales, or deeds of trust; providing for extensions under certain conditions; etc."

The bill was read second time.

Mr. Greathouse offered the following amendment to the bill:

Amend House Bill No. 9 by striking out all below the enacting clause, and by substituting in lieu thereof the following:

"Section 1. From the effective date of this Act until May 1, 1935, the judges of the several district courts having civil jurisdiction in this State, in addition to the powers heretofore exercised, are hereby authorized to grant continuances and stays of execution in all suits instituted for the

purpose of foreclosing liens upon real property, and to grant writs of injunction restraining the sale of real property under powers created by deeds of trust or other contracts, and to restrain sales under executions and orders of sale issued out of any court in this State, when it shall be made to appear by verified motion or petition or from evidence adduced upon a trial on the merits or on ex parte or other preliminary hearing as follows:

"(a) That the defendant or the relator is financially unable to pay the same or any part thereof.

"(b) That a sale of the encumbered property under deed of trust or under process of the court or a sale of the property seized under execution would result in an unfair, unjust, and inequitable financial loss to the defendant or relator, and would not be unfair, unjust, and inequitable to the creditor, taking into consideration the financial condition of all parties.

"(c) That the value of the property involved is substantially in excess of the amount of the debt demanded.

"(d) That the property will probably sell for substantially less than its value if a sale under deed of trust, order of sale, or execution is held in due course.

"(e) That the defendant or relator will not permit the property to be abused, ill-treated, or mismanaged, and that such property will be managed, controlled, and cared for properly during the pendency of the suit.

"(f) That there is a reasonable expectation that the indebtedness will be materially reduced or that a substantial amount thereof will be refinanced within a reasonable time.

"(g) That the defendant or relator will pay into court for application by the clerk on the indebtedness a sum equal to the actual rentals collected, if such property be urban property or business property and that if the property be rural or farm property, that the defendant or relator will duly assign and convey to the creditor the usual and customary rents and revenues from such property.

"(h) That neither the indebtedness demanded nor the lien securing same has been renewed, extended, created, or assumed by the complaining party or any predecessor in title to the real property since May 1, 1933.

"(i) That the lien sought to be foreclosed was not created to secure, in whole or in part, any indebtedness for money or property procured by misrepresentation, fraud, defalcation, or embezzlement, and that the debt is justly owing and is secured by a valid lien on the security.

"Sec. 2. When answer is due in a cause of action instituted to foreclose a lien on real property, the defendant may file a verified motion for continuance, embracing allegations covering the details contained in Section 1 of this Act, and the court shall then order the cause continued for such time as may be deemed sufficient, or to secure said equitable relief, but not beyond May 1, 1935.

"Sec. 3. When there is a threatened foreclosure of a deed of trust lien that was outstanding prior to May 1, 1933, and that has not been renewed or extended since that time, or when a sale of real property under execution or order of sale is threatened, the judge of the district court of the county in which the land or a part thereof is situated, or the judge of the court from which the execution or order of sale is issued, upon presentation of a verified petition embracing allegations covering the conditions contained in Section 1 hereof, may in his discretion issue an order temporarily restraining the sale under the deed of trust, order of sale, or execution. In such cases the judge shall set for a hearing on the petition within ten days from the date of the restraining order, and shall cause notice to be given to the parties against whom complaint is made in the manner now provided by law, and upon such hearing, if the allegations in the petition are found to be true, the judge may, in his discretion, grant a temporary injunction restraining the sale for a reasonable time, not beyond May 1, 1935.

"Sec. 4. Where it is made to appear to the court that the proper protection of the property and the rents and revenues to be derived therefrom can be better served by the appointment of a receiver to take charge of and manage and control the property during the period for which any cause may be continued, or the period for which a stay of execution or an injunction shall be effective, the court shall be authorized to appoint some suitable person to act as

receiver of such property and to manage and control the same under the orders of the court and make such distribution of the rents and revenues as the court may direct.

"Sec. 5. At the end of the period for which the temporary injunction, or the continuance, or the stay of execution, as the case may be, was granted, and on further similar application, notice, and hearing, the court or judge may, in his discretion, enter a further order for temporary injunction or continuance or stay in like manner and upon the same conditions as contained in Sections 2 and 3 hereof. But in no event shall the operation of the original or the subsequent order extend beyond May 1, 1935.

"Sec. 6. Upon the showing that the defendant or the relator has failed to comply with the order of the court for the payment of rent on the property involved, or that the conditions of the relator or defendant have changed to such an extent as to make the grounds upon which any continuance, stay order, or injunction was granted inapplicable, the court shall forthwith enter an order setting aside the continuance or the stay of execution or the injunction, and proceed with the trial of the case on its merits, or permit the property to be sold, as the case may be.

"Sec. 7. The motion for continuance or for stay of execution or the petition for injunction shall be addressed to the sound discretion of the trial court, and the action of the court in refusing to grant any such relief, as herein authorized, shall not be final, and shall be assigned as an error on appeal.

"Sec. 8. No guarantor of an indebtedness, nor indorser, nor surety for the payment thereof, nor any person primarily liable thereon, the collection of which has been enjoined or postponed by reason of the provisions of this Act, shall be required to pay such indebtedness during the injunction or postponement of the suit, nor shall the obligations of such guarantor, indorser, or surety in any way be impaired or lessened by reason thereof, nor shall the creditor be obligated to pursue any remedy against such guarantor, indorser, or surety during the continuance of such injunction and/or postponement of suit.

"Sec. 9. The period from February

15, 1934, to May 1, 1935, shall not be included in computing any period of limitation under the laws of this State with reference to liens on real property and the debts secured thereby, provided the provisions of this Act have been invoked by the record owner of such real property.

"Sec. 10. Nothing herein shall be held to prevent or limit the right of any court to enter any judgment by agreement of the parties.

"Sec. 11. The provisions of this Act are hereby declared to be distinct and separable. If any section, paragraph, sentence, or clause hereof shall be found by a court of competent jurisdiction to be invalid, the decision of such court shall not affect the validity of any other section, paragraph, sentence, or clause.

"Sec. 12. All laws and part of laws in conflict with any of the provisions of this Act are hereby suspended during the effective period of this Act, but not repealed, and this Act shall terminate and be of no further force and effect on and after May 1, 1935.

"Sec. 13. The fact that, under existing laws, forced sales are had under deeds of trust and vendor's lien, at which tracts of real estate are sold at prices greatly below their real and equitable value, and the fact that such sales work inequities and undue hardships upon the owners of such real estate, and the further fact that an extraordinary financial emergency and depression exists within this State and elsewhere, and that many citizens are threatened with the foreclosure of liens upon property, and by reason thereof imminent danger exists whereby citizens may be subjected to distressing losses, and the fact that great and irreparable wrong and injury will be done unless immediate relief, as provided herein, be granted, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted."

Mr. Greathouse moved that further consideration of the bill be postponed until 10 o'clock a. m., tomorrow, and that the proposed amendment be printed in the Journal.

The motion prevailed.

## MOTION TO TAKE UP HOUSE BILL NO. 39

Mr. Burns moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 39 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

### Yeas—77

Alexander.	Laird.
Alsup.	Lange.
Atchison.	Latham.
Beck.	Long.
Bergman.	Lotief.
Bourne.	Magee.
Bradley.	McCullough.
Burns.	Merritt.
Calvert.	Metcalf.
Cathey.	Mitcham.
Caven.	Moffett.
Clayton.	Moore.
Coombes.	Morrison.
Daniel.	Morse.
Dean.	Munson.
Dunagan.	Patterson.
Fisher.	Pavlica.
Ford.	Pope.
Fuchs.	Ramsey.
Good.	Renfro.
Greathouse.	Roark.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hodges.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stovall.
Huddleston.	Stubbeman.
Hughes.	Tarwater.
James.	Tennyson.
Johnson	Thomas.
of Anderson.	Tillery.
Jones of Shelby.	Van Zandt.
Kayton.	Walker.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Winningham.

### Nays—35

Adamson.	Goodman.
Aikin.	Harris.
Baker.	Hicks.
Barrett.	Hunt.
Camp.	Hunter.
Canon.	Jones of Atascosa.
Chastain.	Jones of Runnels.
Crossley.	Lindsey.
Devall.	McKee.
Fain.	Nicholson.
Glass.	Parkhouse.

Puryear.	Savage.
Ray.	Stinson.
Reed of Bowie.	Turlington.
Reed of Dallas.	Vaughan.
Riddle.	Wood.
Rollins.	Young.
Russell.	

## Absent

Anderson.	Harrison.
Barron.	Hester.
Butler.	Hill.
Celaya.	Holloway.
Colson.	Hyder.
Cowley.	Jackson.
Davidson.	Jefferson.
Dunlap.	Lemens.
Duvall.	Mackay.
Dwyer.	McGregor.
Engelhard.	Scarborough.

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

The House, by unanimous consent, at 2:40 o'clock p. m., agreed to stand at ease until 3 o'clock p. m., today.

The House reconvened at 3 o'clock p. m., and was called to order by the Speaker.

## BILL ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Hankamer, House Bill No. 62 was ordered not printed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 16, Authorizing the Comptroller to pay premium on official bond of United States Property and Disbursing Officer for Texas.

H. C. R. No. 26, Placing the Legislature on record as opposing increase of tax on natural gas.

S. C. R. No. 18, Requesting Texas Congressional delegation to advocate loans for privately-owned educational institutions.

Respectfully,

BOB BARKER,

Secretary of the Senate.

## RELATIVE TO CERTAIN APPROPRIATION

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 16, Relative to certain appropriation for Adjutant General's Department.

Whereas, The United States Property and Disbursing Officer for the State of Texas has charge of the disbursement of all moneys and property granted by the United States Government to the National Guard of this State; and

Whereas, Sound business policy dictates that the State should guard itself against loss of any part of these funds by placing said officer under good and sufficient bond; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Adjutant General be, and he is hereby, authorized to pay the premium on the official bond of said United States Property and Disbursing Officer for the State of Texas, out of the appropriation made by the Forty-third Legislature, at its Regular Session, for contingent expenses for the Adjutant General's Department, the premium on said bond, however, not to exceed the sum of one hundred and twenty-five dollars (\$125); be it further

Resolved by the Senate, the House of Representatives concurring, That the Comptroller of Public Accounts of the State of Texas, when duly verified and proper accounts for the same are submitted, be, and he is hereby, authorized to issue a warrant against the State Treasurer in a sum not to exceed one hundred and twenty-five dollars (\$125) in payment of the premium on the official bond of the United States Property and Disbursing Officer for the State of Texas.

The resolution was read second time.

Mr. Alsup raised a point of order on further consideration of the resolution, on the ground that the resolution seeks to make an appropriation.

The Speaker overruled the point of order.

Question recurring on the resolution, it was adopted.

#### HOUSE BILL NO. 56 ON SECOND READING

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 56 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adamson.	Hartzog.
Aikin.	Head.
Alexander.	Hester.
Alsup.	Hodges.
Anderson.	Holland.
Atchison.	Hoskins.
Baker.	Huddleston.
Barrett.	Hughes.
Beck.	Hunt.
Bergman.	Hunter.
Bourne.	Hyder.
Bradley.	James.
Burns.	Johnson
Butler.	of Anderson.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Caven.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Clayton.	Latham.
Colson.	Lindsey.
Coombes.	Long.
Crossley.	Lotief.
Daniel.	Mackay.
Dean.	Magee.
Deval.	McCullough.
Duvall.	McGregor.
Dwyer.	Metcalfe.
Fain.	Mitcham.
Fisher.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Pavlica.
Harman.	Pope.
Harrison.	Puryear.

Ramsey.	Stanfield.
Ray.	Steward.
Reader.	Stinson.
Reed of Bowie.	Stubbeman.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Riddle.	Tillery.
Roark.	Turlington.
Rogers of Hunt.	Van Zandt.
Rollins.	Vaughan.
Russell.	Walker.
Savage.	Wells.
Scott.	Winningham.
Shannon.	Wood.
Shults.	Young.
Smith.	

#### Absent

Barron.	Holloway.
Cathey.	Jackson.
Celaya.	Jefferson.
Cowley.	Kayton.
Davidson.	Laird.
Dunlap.	Lange.
Dunagan.	Lemens.
Engelhard.	McKee.
Harris.	Merritt.
Hicks.	Scarborough.
Hill.	Stovall.
Holekamp.	Tarwater.

#### Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Roberts.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

The Speaker then laid before the House on its second reading and passage to engrossment,

H. B. No. 56, A bill to be entitled "An Act repealing House Bill No. 854, as passed by the Regular Session of the Forty-third Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 56 ON THIRD READING

The Speaker then laid House Bill No. 56 before the House on its third reading and final passage.

The bill was read third time, and was passed.

#### HOUSE BILL NO. 60 ON SECOND READING

Mr. Reed of Dallas moved that the constitutional rule, requiring bills to

be read on three several days, be suspended, and that House Bill No. 60 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—105

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Lange.
Alsup.	Latham.
Atchison.	Lindsey.
Baker.	Long.
Barrett.	Mackay.
Beck.	Magee.
Bourne.	McCullough.
Bradley.	Merritt.
Burns.	Metcalf.
Calvert.	Mitcham.
Camp.	Moffett.
Cathey.	Moore.
Caven.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Clayton.	Parkhouse.
Colson.	Patterson.
Coombes.	Pavlica.
Crossley.	Pope.
Daniel.	Puryear.
Davidson.	Ramsey.
Dean.	Ray.
Devall.	Reed of Bowie.
Dunlap.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Riddle.
Ford.	Roark.
Glass.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rollins.
Greathouse.	Russell.
Griffith.	Savage.
Hankamer.	Scott.
Harman.	Shannon.
Harrison.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hester.	Steward.
Hodges.	Stinson.
Holland.	Stubbeman.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hunt.	Turlington.
Hunter.	Van Zandt.
Hyder.	Vaughan.
James.	Walker.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.
Kayton.	

## Present—Not Voting

Lotief.

## Absent

Anderson.	Holloway.
Barron.	Jackson.
Bergman.	Jefferson.
Butler.	Johnson
Canon.	of Anderson.
Cowley.	Laird.
Dunagan.	Lemens.
Duvall.	McGregor.
Dwyer.	McKee.
Engelhard.	Nicholson.
Fuchs.	Scarborough.
Harris.	Stovall.
Hicks.	Tillery.
Hill.	Wells.
Holekamp.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

The Speaker then laid before the House on its second reading and passage to engrossment,

H. B. No. 60, A bill to be entitled "An Act validating all elections, election orders, election proceedings, and city ordinances annexing adjacent territory to, or extending and prescribing the corporate limits of, any incorporated city having a population of not less than 3,000, and not more than 6,000 inhabitants, as shown by the Federal Census of 1930, and declaring an emergency."

The bill was read second time.

Mr. Reed of Dallas offered the following amendment to the bill:

Amend House Bill No. 60 by striking out of the caption and the body of the bill the words "Federal Census of 1930," wherever they appear, and inserting the words "last preceding Federal Census" in lieu thereof.

The amendment was adopted.

House Bill No. 60 was then passed to engrossment.

## HOUSE BILL NO. 60 ON THIRD READING

The Speaker then laid House Bill No. 60 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:



## Yeas—104

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson.	Kyle of Palo Pinto.
Atchison.	Lange.
Barrett.	Long.
Beck.	Mackay.
Bourne.	Magee.
Bradley.	Merritt.
Burns.	Metcalf.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Caven.	Morse.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Parkhouse.
Coombes.	Patterson.
Crossley.	Pavlica.
Daniel.	Pope.
Dean.	Puryear.
Devall.	Ramsey.
Dwyer.	Ray.
Fain.	Reed of Bowie.
Fisher.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Riddle.
Glass.	Roark.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rollins.
Griffith.	Russell.
Hankamer.	Savage.
Harman.	Scott.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Smith.
Hicks.	Stanfield.
Hodges.	Steward.
Holland.	Stinson.
Hoskins.	Stubbeman.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hunter.	Tillery.
Hyder.	Turlington.
James.	Van Zandt.
Jefferson.	Vaughan.
Johnson.	Walker.
of Anderson.	Young.
Jones of Atascosa.	

## Nays—1

Lindsey.

## Present—Not Voting

Lotief.

## Absent

Baker.	Colson.
Barron.	Cowley.
Bergman.	Davidson.
Butler.	Dunlap.

Dunagan.	Latham.
Duvall.	Lemens.
Engelhard.	McCullough.
Harris.	McGregor.
Hester.	McKee.
Hill.	Scarborough.
Holekamp.	Stovall.
Holloway.	Wells.
Jackson.	Winningham.
Laird.	Wood.

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson.	Rogers.
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

## HOUSE BILL NO. 45 ON SECOND READING

Mr. Moffett moved that the Twenty-four-hour House Rule, relative to the consideration of printed bills, be suspended, for the purpose of considering House Bill No. 45.

The motion prevailed.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 45, A bill to be entitled "An Act providing for the Agricultural and Mechanical College Substation No. 12, located in Hardeman County, Texas, in order to provide material and labor to reconstruct buildings destroyed by fire on January 18, 1934; making an appropriation to said Agricultural and Mechanical College Substation No. 12, for said purposes, and declaring an emergency."

The bill was read second time.

Mr. Anderson offered the following amendment to the bill:

Amend House Bill No. 45 by adding after the words and figures "seventeen hundred dollars (\$1,700)" the following: "or so much thereof as may be necessary"; and amend the caption accordingly.

Mr. Savage offered the following amendment to the amendment:

Amend the amendment by striking out "\$1,700" and substituting "\$1,600."

The amendment was lost.

Question recurring on the amendment by Mr. Anderson, it was adopted.

Mr. Scott offered the following amendment to the bill:

Amend House Bill No. 45 by adding at the end of Section 1: "This appropriation is to be paid out of the local funds of A. and M. College."

Mr. Moffett moved to table the amendment.

The motion to table prevailed.

House Bill No. 45 was then passed to engrossment by the following vote:

Yeas—77

Adamson.	Lange.
Alexander.	Latham.
Alsup.	Lindsey.
Anderson.	Long.
Atchison.	Magee.
Baker.	McGregor.
Barrett.	McKee.
Bourne.	Merritt.
Bradley.	Metcalfe.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Cathey.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Clayton.	Patterson.
Cowley.	Puryear.
Crossley.	Ray.
Daniel.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Roark.
Ford.	Roberts.
Goodman.	Rogers
Greathouse.	of Ochiltree.
Hankamer.	Rollins.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Smith.
Hester.	Stanfield.
Hodges.	Steward.
Holekamp.	Stovall.
Hoskins.	Stubbeman.
Hughes.	Tarwater.
Hyder.	Tennyson.
James.	Thomas.
Jefferson.	Tillery.
Johnson	Turlington.
of Anderson.	Van Zandt.
Jones of Shelby.	Walker.
Kyle of Hays.	

Nays—29

Aikin.	Hunt.
Canon.	Hunter.
Coombes.	Jones of Atascosa.
Devall.	Jones of Runnels.
Fuchs.	Kayton.
Glass.	Kyle of Palo Pinto.
Good.	Lotief.
Hicks.	Mackay.
Huddleston.	McCullough.

Pavlica.	Scott.
Reed of Bowie.	Vaughan.
Riddle.	Winningham.
Rogers of Hunt.	Wood.
Russell.	Young.
Savage.	

Absent

Barron.	Harris.
Beck.	Hill.
Bergman.	Holland.
Camp.	Holloway.
Caven.	Jackson.
Colson.	Laird.
Davidson.	Lemens.
Dean.	Nicholson.
Dunlap.	Parkhouse.
Dunagan.	Pope.
Duvall.	Ramsey.
Dwyer.	Scarborough.
Engelhard.	Stinson.
Griffith.	Wells.
Harman.	

Absent—Excused

Bedford.	McDougald.
Golson.	Palmer.
Graves.	Ratliff.
Johnson	Reader.
of Dimmit.	Townsend.
Leonard.	Wagstaff.
Mathis.	Weinert.

### HOUSE BILL NO. 45 ON THIRD READING

Mr. Moffett moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 45 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—83

Adamson.	Dean.
Aikin.	Dunagan.
Alexander.	Fain.
Alsup.	Fisher.
Anderson.	Ford.
Atchison.	Good.
Baker.	Graves.
Barrett.	Greathouse.
Bourne.	Griffith.
Bradley.	Hankamer.
Burns.	Harrison.
Butler.	Hartzog.
Calvert.	Hodges.
Canon.	Holekamp.
Cathey.	Hoskins.
Celaya.	Hughes.
Chastain.	Hyder.
Clayton.	James.
Cowley.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.

Jones of Atascosa.	Patterson.
Jones of Runnels.	Purveyar.
Jones of Shelby.	Ray.
Kyle of Hays.	Reed of Dallas.
Lange.	Renfro.
Latham.	Roark.
Lindsey.	Roberts.
Long.	Rollins.
Mackay.	Shannon.
Magee.	Shults.
McCullough.	Stanfield.
McGregor.	Steward.
McKee.	Stovall.
Merritt.	Stubbeman.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Turlington.
Morrison.	Van Zandt.
Morse.	Walker.
Munson.	Winningham.

## Nays—20

Coombes.	Lotief.
Devall.	Pavlica.
Fuchs.	Reed of Bowie.
Glass.	Riddle.
Hicks.	Rogers of Hunt.
Huddleston.	Russell.
Hunt.	Savage.
Hunter.	Scott.
Kayton.	Vaughan.
Kyle of Palo Pinto.	Wood.

## Absent

Barron.	Hill.
Beck.	Holland.
Bergman.	Holloway.
Camp.	Jackson.
Caven.	Laird.
Colson.	Lemens.
Davidson.	Nicholson.
Dunlap.	Parkhouse.
Duvall.	Pope.
Dwyer.	Ramsey.
Engelhard.	Scarborough.
Golson.	Smith.
Goodman.	Stinson.
Harman.	Tillery.
Harris.	Wells.
Head.	Young.
Hester.	

## Absent—Excused

Bedford.	Ratliff.
Johnson	Reader.
of Dimmit.	Rogers
Leonard.	of Ochiltree.
Mathis.	Townsend.
McDougald.	Wagstaff.
Palmer.	Weinert.

The Speaker then laid House Bill No. 45 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—83

Adamson.	Latham.
Alexander.	Lindsey.
Alsup.	Long.
Atchison.	Mackay.
Baker.	Magee.
Barrett.	McCullough.
Beck.	McGregor.
Bourne.	McKee.
Bradley.	Merritt.
Burns.	Metcalfe.
Butler.	Mitcham.
Calvert.	Moffett.
Cathey.	Moore.
Caven.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Cowley.	Nicholson.
Crossley.	Parkhouse.
Daniel.	Patterson.
Dean.	Pavlica.
Dunlap.	Purveyar.
Dwyer.	Ramsey.
Fain.	Ray.
Fisher.	Reed of Dallas.
Ford.	Roark.
Goodman.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rollins.
Hankamer.	Savage.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Smith.
Hester.	Stanfield.
Hicks.	Steward.
Holekamp.	Stovall.
Hoskins.	Stubbeman.
Hughes.	Tarwater.
Hyder.	Tennyson.
James.	Thomas.
Jones of Atascosa.	Turlington.
Jones of Shelby.	Van Zandt.
Kyle of Hays.	Walker.

## Nays—21

Aikin.	Kayton.
Canon.	Kyle of Palo Pinto.
Coombes.	Lotief.
Devall.	Reed of Bowie.
Dunagan.	Riddle.
Glass.	Russell.
Good.	Scott.
Huddleston.	Vaughan.
Hunt.	Winningham.
Hunter.	Wood.
Jones of Runnels.	

## Present—Not Voting

Young.

## Absent

Anderson.	Bergman.
Barron.	Camp.

Clayton.	Jackson.
Colson.	Jefferson.
Davidson.	Johnson
Duvall.	of Anderson.
Engelhard.	Laird.
Fuchs.	Lange.
Harman.	Lemens.
Harris.	Pope.
Hill.	Scarborough.
Hodges.	Stinson.
Holland.	Tillery.
Holloway.	Wells.

## Absent—Excused

Bedford.	Ratliff.
Golson.	Reader.
Graves.	Renfro.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.
Palmer.	

HOUSE BILL NO. 62 ON SECOND  
READING

Mr. Hankamer moved that the Twenty-four-hour House Rule, relative to the consideration of printed bills, be suspended, for the purpose of considering at this time, House Bill No. 62.

The motion prevailed.

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 62 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—107

Adamson.	Coombes.
Aikin.	Cowley.
Alexander.	Crossley.
Alsup.	Daniel.
Anderson.	Dean.
Atchison.	Devall.
Baker.	Dunlap.
Barrett.	Dunagan.
Beck.	Fain.
Bourne.	Fisher.
Bradley.	Ford.
Burns.	Fuchs.
Butler.	Glass.
Calvert.	Good.
Camp.	Goodman.
Canon.	Graves.
Caven.	Greathouse.
Celaya.	Griffith.
Chastain.	Hankamer.
Clayton.	Harrison.

Hartzog.	Nicholson.
Head.	Parkhouse.
Hester.	Patterson.
Hicks.	Pavlica.
Hodges.	Pope.
Holekamp.	Puryear.
Huddleston.	Ray.
Hughes.	Reed of Bowie.
Hunt.	Reed of Dallas.
Hunter.	Renfro.
Hyder.	Riddle.
James.	Roark.
Jefferson.	Roberts.
Johnson	Rogers of Hunt.
of Anderson.	Rollins.
Jones of Runnels.	Russell.
Jones of Shelby.	Savage.
Kayton.	Scott.
Kyle of Palo Pinto.	Shannon.
Latham.	Shults.
Long.	Smith.
Mackay.	Stanfield.
Magee.	Steward.
McCullough.	Stovall.
McGregor.	Stubbeman.
McKee.	Tarwater.
Merritt.	Thomas.
Metcalf.	Tillery.
Mitcham.	Turlington.
Moffett.	Van Zandt.
Moore.	Vaughan.
Morrison.	Walker.
Morse.	Wood.
Munson.	Young.

## Nays—3

Lindsey.	Winningham.
Lotief.	

## Absent

Barron.	Hoskins.
Bergman.	Jackson.
Cathey.	Jones of Atascosa.
Colson.	Kyle of Hays.
Davidson.	Laird.
Duvall.	Lange.
Dwyer.	Lemens.
Engelhard.	Ramsey.
Harman.	Scarborough.
Harris.	Stinson.
Hill.	Tennyson.
Holland.	Wells.
Holloway.	

## Absent—Excused

Bedford.	Ratliff.
Golson.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.
Palmer.	

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 62, A bill to be entitled "An Act validating refunding bonds issued by certain water improvement districts under authority of Acts, 1933, Forty-third Legislature, page 171, Chapter 78; authorizing a levy to be made for prior years where part or all the bonded indebtedness of such water improvement districts has been refunded; etc."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 62 ON THIRD READING

The Speaker then laid House Bill No. 62 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

#### Yeas—104

Adamson.	Holekamp.
Aikin.	Hoskins.
Alexander.	Huddleston.
Alsup.	Hughes.
Anderson.	Hunt.
Atchison.	Hunter.
Baker.	Hyder.
Barrett.	James.
Beck.	Jefferson.
Bourne.	Jones of Runnels.
Bradley.	Kayton.
Burns.	Kyle of Palo Pinto.
Butler.	Latham.
Calvert.	Long.
Camp.	Mackay.
Canon.	Magee.
Cathey.	McCullough.
Caven.	McKee.
Celaya.	Merritt.
Chastain.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunlap.	Munson.
Dunagan.	Nicholson.
Fain.	Parkhouse.
Fisher.	Patterson.
Ford.	Pavlica.
Fuchs.	Puryear.
Glass.	Ramsey.
Good.	Ray.
Goodman.	Reed of Bowie.
Graves.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Riddle.
Harrison.	Roark.
Hartzog.	Roberts.
Head.	Rogers of Hunt.
Hester.	Rollins.
Hicks.	Russell.
Hodges.	Savage.

Scott.  
Shults.  
Smith.  
Stanfield.  
Steward.  
Stovall.  
Stubbeman.  
Tarwater.  
Tennyson.

Thomas.  
Tillery.  
Turlington.  
Van Zandt.  
Vaughan.  
Walker.  
Winningham.  
Wood.  
Young.

#### Nays—2

Coombes.

Lindsey.

#### Present—Not Voting

Lotief.

#### Absent

Barron.	Johnson
Bergman.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Jones of Shelby.
Davidson.	Kyle of Hays.
Duvall.	Laird.
Dwyer.	Lange.
Engelhard.	Lemens.
Hankamer.	McGregor.
Harman.	Pope.
Harris.	Scarborough.
Hill.	Shannon.
Holland.	Stinson.
Holloway.	Wells.
Jackson.	

#### Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Johnson	Reader.
of Dimmit.	Rogers
Leonard.	of Ochiltree.
Mathis.	Townsend.
McDougald.	Wagstaff.
	Weinert.

### HOUSE BILL NO. 64 ON SECOND READING

Mr. Moore moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 64 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—105

Adamson.	Bourne.
Aikin.	Bradley.
Alexander.	Burns.
Alsup.	Calvert.
Anderson.	Camp.
Atchison.	Canon.
Baker.	Cathey.
Barrett.	Celaya.
Beck.	Chastain.

Clayton.	McCullough.
Coombes.	McGregor.
Cowley.	McKee.
Crossley.	Metcalfe.
Daniel.	Mitcham.
Dean.	Moffett.
Devall.	Morrison.
Dunlap.	Morse.
Dunagan.	Munson.
Dwyer.	Nicholson.
Fain.	Pavlica.
Fisher.	Puryear.
Ford.	Ramsey.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Good.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Riddle.
Hankamer.	Roark.
Hartzog.	Roberts.
Head.	Rogers of Hunt.
Hester.	Rollins.
Hicks.	Russell.
Holekamp.	Savage.
Holland.	Scott.
Hoskins.	Shannon.
Huddleston.	Shults.
Hughes.	Smith.
Hunt.	Stanfield.
Hyder.	Steward.
James.	Stovall.
Jefferson.	Stubbeman.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Turlington.
Kyle of Palo Pinto.	Van Zandt.
Latham.	Vaughan.
Lindsey.	Walker.
Long.	Wells.
Lotief.	Winningham.
Mackay.	Wood.
Magee.	

## Absent

Barron.	Hunter.
Bergman.	Jackson.
Butler.	Johnson
Caven.	of Anderson.
Colson.	Laird.
Davidson.	Lange.
Duvall.	Lemens.
Engelhard.	Merritt.
Goodman.	Moore.
Harman.	Parkhouse.
Harris.	Patterson.
Harrison.	Pope.
Hill.	Scarborough.
Hodges.	Stinson.
Holloway.	Young.

## Absent—Excused

Bedford.	Johnson
Golson.	of Dimmit.
Graves.	Leonard.

Mathis.	Rogers
McDougald.	of Ochiltree.
Palmer.	Townsend.
Ratliff.	Wagstaff.
Reader.	Weinert.

On motion of Mr. Moore, the Twenty-four-hour House Rule, relative to the consideration of printed bills, was suspended, for the purpose of considering House Bill No. 64.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 64, A bill to be entitled "An Act providing that in all counties having a population in excess of 350,000 inhabitants, according to the last available Federal Census, the county school superintendent shall be appointed by the board of county school trustees and shall hold office for four years, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 64 ON THIRD READING

The Speaker then laid House Bill No. 64 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.	Ford.
Aikin.	Fuchs.
Alexander.	Glass.
Alsup.	Good.
Anderson.	Greathouse.
Atchison.	Griffith.
Baker.	Hankamer.
Barrett.	Harrison.
Beck.	Hartzog.
Bourne.	Head.
Bradley.	Hester.
Burns.	Hicks.
Canon.	Hodges.
Cathey.	Holekamp.
Caven.	Holland.
Celaya.	Hoskins.
Chastain.	Huddleston.
Clayton.	Hughes.
Coombes.	Hunt.
Cowley.	Hunter.
Crossley.	Hyder.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Jones of Atascosa.
Devall.	Jones of Runnels.
Dunlap.	Jones of Shelby.
Dunagan.	Kayton.
Fain.	Kyle of Hays.
Fisher.	Lange.

Latham.	Roark.
Lindsey.	Roberts.
Mackay.	Rogers of Hunt.
Magee.	Rollins.
McCullough.	Russell.
McGregor.	Savage.
McKee.	Scott.
Merritt.	Shannon.
Metcalfe.	Shults.
Mitcham.	Smith.
Moffett.	Stanfield.
Moore.	Steward.
Morrison.	Stovall.
Morse.	Stubbeman.
Munson.	Tarwater.
Nicholson.	Tennyson.
Parkhouse.	Thomas.
Pavlica.	Tillery.
Puryear.	Turlington.
Ramsey.	Van Zandt.
Ray.	Vaughan.
Reed of Bowie.	Walker.
Reed of Dallas.	Wells.
Renfro.	Winningham.
Riddle.	Wood.

## Absent

Barron.	Jackson.
Bergman.	Johnson
Butler.	of Anderson.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Colson.	Lemens.
Duvall.	Long.
Dwyer.	Lotief.
Engelhard.	Patterson.
Goodman.	Pope.
Harman.	Scarborough.
Harris.	Stinson.
Hill.	Young.
Holloway.	

## Absent—Excused

Bedford.	Palmer.
Golson.	Ratliff.
Graves.	Reader.
Johnson	Rogers
of Dimmit.	of Ochiltree.
Leonard.	Townsend.
Mathis.	Wagstaff.
McDougald.	Weinert.

HOUSE BILL NO. 65 ON SECOND  
READING

Mr. Daniel moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 65 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Aikin.	Alexander.
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Alsop.	Kyle of Hays.
Anderson.	Kyle of Palo Pinto.
Atchison.	Lange.
Baker.	Latham.
Barrett.	Lindsey.
Beck.	Long.
Bourne.	Mackay.
Bradley.	Magee.
Burns.	McCullough.
Camp.	McGregor.
Canon.	Metcalfe.
Cathey.	Mitcham.
Caven.	Moffett.
Celaya.	Moore.
Chastain.	Morrison.
Calyton.	Morse.
Cowley.	Munson.
Crossley.	Parkhouse.
Daniel.	Pavlica.
Dean.	Puryear.
Devall.	Ramsey.
Dunagan.	Ray.
Dwyer.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Fuchs.	Roark.
Glass.	Roberts.
Good.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Russell.
Harrison.	Savage.
Hester.	Shannon.
Hicks.	Shults.
Hodges.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stovall.
Huddleston.	Stubbeman.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hunter.	Thomas.
Hyder.	Turlington.
James.	Van Zandt.
Jefferson.	Vaughan.
Jones of Atascosa.	Walker.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.
Kayton.	

## Present—Not Voting

Lotief.

## Absent

Adamson.	Harris.
Barron.	Hartzog.
Bergman.	Hill.
Butler.	Holloway.
Calvert.	Jackson.
Colson.	Johnson
Davidson.	of Anderson.
Dunlap.	Laird.
Duvall.	Lemens.
Engelhard.	McKee.
Goodman.	Merritt.

Nicholson.	Stinson.
Patterson.	Tillery.
Pope.	Wells.
Scarborough.	Winningham.
Scott.	

## Absent—Excused

Bedford.	McDougald.
Golson.	Palmer.
Graves.	Ratliff.
Johnson	Reader.
of Dimmit.	Townsend.
Leonard.	Wagstaff.
Mathis.	Weinert.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 65, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Houston County during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 65 ON THIRD READING

The Speaker then laid House Bill No. 65 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 13, 1934.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 9, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas and branches thereof, and the Board of Directors of the Agricultural and Mechanical College, and the Board of Directors of Texas Technological College, and the Board of Regents of the State Teachers Colleges, and the Board of Directors of the College of Industrial Arts and Industries to construct, acquire, operate, maintain through, and only through, funds or loans to be obtained from the Gov-

ernment of the United States or any agency or agencies thereof, created under the National Recovery Act, or otherwise created by the Federal Government, and manage, furnish, and equip any needed building or buildings of a self-liquidating nature, to house student activities at any of said State educational institutions of higher learning in Texas, and declaring an emergency."

S. B. No. 11, A bill to be entitled "An Act to amend Section 5, of Chapter 130, of the General Laws of the Regular Session of the Forty-third Legislature, so as to provide that no contract, bond, or note, or other evidence of indebtedness authorized to be issued under Chapter 130, of the General Laws of the Regular Session of the Forty-third Legislature, shall be issued or executed after May 13, 1935, and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 11, to the Committee on Education.

Senate Bill No. 9, to the Committee on Education.

## ADJOURNMENT

On motion of Mr. Alexander, the House, at 4:25 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Claims and Accounts: House Bill No. 49.

State Affairs: Senate Bill No. 7, House Bill No. 47, and House Concurrent Resolutions Nos. 18 and 21.

Appropriations: House Bill No. 50.

The Committee on Live Stock and Stock Raising filed an adverse report,



with a minority favorable, on House Bill No. 18.

# REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 13, A bill to be entitled "An Act providing for the issuance of State Relief Bonds, to be designated as 'Texas Relief Bonds, Second Series,' in the sum of four million dollars (\$4,000,000), under Section 51-a, Article III, of the Constitution of the State of Texas; providing the terms and the denominations and interest of such bonds and the manner of signing and registering same, and the sources from which said bonds and the interest thereon shall be paid, and exempting same from taxation; assigning a part of funds appropriated to the payment of certain salaries and expenses; providing for the procedure for the sale of the bonds, and the disposition of the proceeds thereof; prohibiting borrowing in anticipation of future issuance of bonds; providing any officer or member of any board or commission of the State of Texas participating in such attempted loan or advance shall be guilty of high crimes and misdemeanors; providing a method of retirement of said bonds and the interest thereon, and making an appropriation therefor; providing for the destruction of issued and unsold bonds and of redeemed bonds and the transfer of any unused moneys derived from the sale of said bonds to the 'Texas Relief Bond Sinking Fund, Second Series'; providing none of said bonds so sold shall be purchased by, for, on account of, or out of, the Permanent Fund of the University or certain other funds; providing for the appropriation of the proceeds of the sale of said bonds to the Texas Relief Commission; providing that the holder of any bond in default may institute suit for satisfying same; providing the funds derived from the sale of said bonds shall be administered by the same agencies and in the same manner and for the same purposes as provided in Chapter 37, Acts of the First Called Session of the Forty-third Legislature,

known as Senate Bill No. 46; continuing the Texas Relief Commission for the purpose of administering Federal and or State funds and for employment and or relief of the unemployed; providing the Texas Relief Commission shall meet on the call of the Chairman, Vice-Chairman, or a majority of the members; providing members of said Commission shall serve without compensation except for certain mileage and per diem, to be paid when away from home in the discharge of their duties; provided any member of said Commission or anyone having an official capacity in the relief work of Texas must resign upon his entrance into a political campaign as a candidate; specifying the way and manner in which said money shall be expended; providing for use of a part of said funds for hospitalization of indigent tubercular patients; providing for rules and regulations for the handling of said funds; providing for the distribution of funds; providing for expenditure of certain sums for hospital bills and for distributing food and clothing; providing that none of said funds shall be paid to certain relatives of certain State officials; providing for competitive bidding where purchases in excess of fifty dollars (\$50) are made by county boards of administrators; providing for penalties for misappropriation of funds and/or for making false statements or misrepresentation in order to secure money for relief; levying a tax of ten per cent (10%) on all money wagered on horse races under provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature; providing for the collection of said tax by the Comptroller; allocating twenty-five per cent (25%) of the tax collected to the Available School Fund, one per cent (1%) of the balance to be used by the Comptroller for administering duties of collection given hereunder, and the balance to be credited to the 'Texas Relief Bond Sinking Fund, Second Series,' out of which interest on said bonds shall be paid, and out of which bonds shall be redeemed; providing that if any section, clause, or sentence is held unconstitutional, such holding shall not affect the remaining portion of the Act, and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 38, A bill to be entitled  
"An Act appropriating the sum of  
\$1,200 for each of the two years, be-  
ginning September 1, 1933, and Sep-  
tember 1, 1934, to pay the traveling  
and living expenses of Justices of the  
several Courts of Civil Appeals in  
hearing oral arguments in transferred  
cases under the provisions of Chapter  
151, of the General Laws of the State  
of Texas, passed at the Regular Ses-  
sion of the Forty-third Legislature;  
and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 33, A bill to be entitled  
"An Act authorizing the Governor to  
refund the principal of outstanding  
State of Texas bonds held by the  
State Permanent School Fund, and  
other educational and eleemosynary  
institutions' permanent funds; au-  
thorizing and directing the Governor  
to exchange said refunding bonds for  
the principal of outstanding State of  
Texas bonds; making an appropria-  
tion to pay the expense of such re-  
funding, and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, February 12, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 31, A bill to be entitled  
"An Act amending Chapter 90, Acts  
of the First Called Session of the  
Forty-third Legislature, 1933, by add-  
ing to Section 1, thereof, a new sub-  
division defining the term 'Counter-  
feit Stamp,' as used in said Act; and  
further amending said chapter by  
amending Section 11, thereof, rede-  
fining the offense prohibited therein,

and prescribing the penalty for a vio-  
lation thereof; and futher amending  
said chapter by adding new sections  
thereto; etc.,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 39, A bill to be entitled  
"An Act making an emergency ap-  
propriation of money for the Sam  
Houston State Teachers College at  
Huntsville, Texas, and the Peniten-  
tiary System, located at Huntsville,  
Texas; providing the purposes there-  
of, the means and manner of expend-  
iture, and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 5, Granting W. F.  
Sewell and wife and J. C. Lewis, of  
Navarro County, permission to sue the  
State,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 6, Granting E. A.  
Eliot and wife permission to sue the  
State,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, February 13, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 17, Relative to certain appropriation for Texas National Guard,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

### TENTH DAY

(Wednesday, February 14, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hankamer.
Adamson.	Harman.
Aikin.	Harris.
Alexander.	Harrison.
Alsup.	Hartzog.
Anderson.	Head.
Atchison.	Hester.
Baker.	Hicks.
Barrett.	Hill.
Barron.	Hodges.
Beck.	Holekamp.
Bedford.	Holland.
Bergman.	Holloway.
Bourne.	Hoskins.
Bradley.	Huddleston.
Burns.	Hughes.
Bu ler.	Hunt.
Calvert.	Hyder.
Camp.	James.
Canon.	Jefferson.
Cathey.	Johnson
Caven.	of Anderson.
Celaya.	Jones of Atascosa.
Chastain.	Jones of Runnels.
Clayton.	Jones of Shelby.
Colson.	Kayton.
Coombes.	Kyle of Hays.
Cowley.	Kyle of Palo Pinto.
Crossley.	Laird.
Daniel.	Lange.
Davidson.	Latham.
Dean.	Lemens.
Devall.	Leonard.
Dunlap.	Lindsey.
Dunagan.	Long.
Duvall.	Lotief.
Dwyer.	Mackay.
Fain.	Magee.
Fisher.	Mathis.
Ford.	McCullough.
Fuchs.	McGregor.
Glass.	McKee.
Golson.	Merritt.
Good.	Metcalfe.
Goodman.	Mitcham.
Graves.	Moffett.
Greathouse.	Moore.
Griffith.	Morrison.

Morse.	Savage.
Munson.	Scarborough.
Nicholson.	Scott.
Parkhouse.	Shannon.
Patterson.	Shults.
Pavlica.	Stanfield.
Pope.	Steward.
Puryear.	Stinson.
Ramsey.	Stovall.
Ratliff.	Stubbeman.
Ray.	Tarwater.
Reader.	Tennyson.
Reed of Bowie.	Thomas.
Reed of Dallas.	Tillery.
Renfro.	Turlington.
Riddle.	Van Zandt.
Roark.	Vaughan.
Roberts.	Wagstaff.
Rogers of Hunt.	Walker.
Rogers	Wells.
of Ochiltree.	Winningham.
Rollins.	Wood.
Russell.	Young.

### Absent—Excused

Engelhard.	McDougald.
Hunter.	Palmer.
Jackson.	Smith.
Johnson	Townsend.
of Dimmit.	Weinert.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hicks for today, on motion of Mr. Morrison.

Mr. Smith for today, on motion of Mr. Thomas.

Mr. Hunter for today, on motion of Mr. Hunt.

Mr. Townsend for today, on motion of Mr. Kayton.

The following Members were granted leaves of absence on account of illness:

Mr. Jackson for today and the balance of the week, on motion of Mr. Hankamer.

Mr. Ramsey was granted leave of absence for the past several days, on which he has been absent, on motion of Mr. Long.

### BILL ORDERED NOT PRINTED

On motion of Mr. Walker, Senate Bill No. 11 was ordered not printed.